

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MASTR ADJUSTABLE RATE MORT- :
GAGES TRUST 2006-OA2, MASTR AD- :
JUSTABLE RATE MORTGAGES TRUST :
2007-1, AND MASTR ADJUSTABLE RATE :
MORTGAGES TRUST 2007-3, : 12-Civ-7322 (HB) (JCF)
: :
Plaintiffs, : **ECF Case**
: :
-against- : :
: :
UBS REAL ESTATE SECURITIES INC., :
: :
Defendant. :
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**DECLARATION OF PAUL J. LOCKWOOD IN SUPPORT OF
UBS REAL ESTATE SECURITIES INC.'S MOTION FOR
IMPOSITION OF SANCTIONS FOR SPOILIATION OF EVIDENCE**

Pursuant to 28 U.S.C. § 1746, Paul J. Lockwood hereby declares under penalty of perjury as follows:

1. I am a partner at Skadden, Arps, Slate, Meagher and Flom LLP ("Skadden") and submit this declaration in support of UBS Real Estate Securities, Inc.'s ("UBS RESI") Motion for Imposition of Sanctions for Spoliation of Evidence.

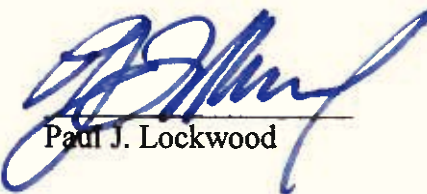
2. During a March 25, 2013, meet and confer conference call regarding, among other things, document productions in *MASTR Adjustable Rate Mortgages Trust 2006-OA2, et al. v. UBS Real Estate Securities Inc.*, 12-cv-7322 (HB)(JCF), Nicholas Joseph of Quinn, Emanuel, Urquhart & Sullivan ("Quinn Emanuel"), counsel for U.S. Bank N.A. ("U.S. Bank"), informed me that U.S. Bank employs a 90-day auto delete policy for its employees' e-mails, and that U.S. Bank does not maintain back-up tapes of e-mails deleted pursuant to this policy.

3. As a result, Mr. Joseph informed me that the universe of electronic data was small enough that U.S. Bank did not need to utilize search terms to isolate potentially relevant documents for review and production.

4. At my direction, Skadden attorneys searched the metadata associated with U.S. Bank's productions to identify the number of e-mails that U.S. Bank produced that were harvested from its custodians' e-mail accounts. That search identified 128 documents as having been harvested directly from e-mail accounts. Based on the "Source" metadata associated with each of those e-mails, U.S. Bank's production includes the following number of e-mails from each custodian:

- (a) Elizabeth Brewster: 0 e-mails
- (b) Laura Cawley: 0 e-mails
- (c) Brian Giel: 0 e-mails
- (d) Julianne Ilstrup: 9 e-mails
- (e) Timothy Pillar: 1 e-mail
- (f) Shannon Rantz: 0 e-mails
- (g) Dianne Reynolds: 69 e-mails
- (h) Toby Robillard: 22 e-mails
- (i) Roxanne Rouleau: 0 e-mails
- (j) Joseph Wagner: 5 e-mails
- (k) Nicolas Valaperta: 22 e-mails

Dated: June 19, 2013
Executed at Wilmington, Delaware



Paul J. Lockwood